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C O N F I D E N T I A L BANGKOK 003799

SIPDIS

DEPARTMENT FOR EAP/BCLTV, L/EAP, EAP/RSP, L/PM, PM/ISO, INR
AND DRL

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TAGS: [MASS MARR](#) [MOPS PREL](#) [PHUM TH HUMAN RIGHTS VETTING](#)

SUBJECT: SUPPLEMENTAL INFORMATION: HUMAN RIGHTS VETTING

FOR EXERCISE BALANCE TORCH 05-3

REF: A. BANGKOK 3439
[B. SHAW-LAMBERT EMAILS](#)
[C. 04 BANGKOK 8237](#)

Classified By: Political Counselor Robert J. Clarke. Reason 1.4 (a and d)

[¶1.](#) (C) Ref A) requests Department action for human rights vetting for the 5th Infantry Regiment, 5th Infantry Division of the 4th Army of the Royal Thai Army. As noted in ref A), the unit is scheduled to participate in Exercise Balance Torch 05-3. The Department has requested further information from post about the 5th Infantry Division's participation in the October 25, 2004 incident at Tak Bai, Narathiwat Province.

[¶2.](#) (U) During that incident, Thai Army and Police Units moved to quell a demonstration by more than a thousand Thai Muslims protesting the arrest and detention of several Thai Muslims suspected of providing small arms to separatists. At least seven persons died before the protests were brought under control. Once the authorities brought the demonstrators under control, the security forces rounded up about 1,370 of the protesters, loaded them into trucks, and moved them to Ingkayuth military camp in Pattani Province. As dusk approached, the last of the protesters shipped to Ingkayuth were stacked into overcrowded trucks by poorly supervised security personnel, resulting in the deaths by crushing and suffocation of 78 detainees. Prime Minister Thaksin Shinawatra appointed an independent commission to investigate the incident. In April 2005, that commission determined that the former Commanding Officer of the 4th Army's 5th Infantry Division, Major General Chalermchai Wiroonphet, among others was guilty of negligence in the Tak Bai incident for having left the scene of the round-up without an acceptable excuse. Major General Sinchai Nutsatit, the then deputy-Commander of the Fourth Army Region, was also found negligent for not taking appropriate action against officers tasked with transporting the detainees. The commission did not/not find any of the units involved in the incident guilty of human rights abuses.

[¶3.](#) (C) Post has utilized all available local resources to clarify the role in Tak Bai of Thai units recommended for training. In order to better respond to Washington's inquiry, PolMilOff and JUSMAGTHAI Chief have both again reviewed video footage taken of the demonstration and the roundup of suspects (description of that footage reported ref C). That footage shows Thai soldiers from at least four military units and two police units responding to the demonstration and rounding up suspects. Video shows security forces using water cannon and tear gas as well as a great deal of firing into the air to stop the demonstrators. Footage shows mixed units of military and police responding to the demonstration, sometimes under the command of a military officer, sometimes under the command of a police officer.

[¶4.](#) (C) Although video shows some suspects with hands tied behind their backs made to crawl to waiting trucks and other footage shows suspects being hit by baton wielding soldiers, the footage does not/not show clear evidence of gross human rights violations carried out by units in an organized fashion. Post has also confirmed that elements of the 5th Infantry Regiment were among those troops involved at Tak Bai. Post has no/no indication of the unit affiliation of the troops who loaded into trucks the detainees who died. Indications are that the actual loading of trucks was done on an ad hoc basis with no one unit having overall responsibility.

[¶5.](#) (C) Although seven protesters died during this initial phase of the operation, our viewing of the video footage supports claims by Thai officials that the most serious rights violations associated with the Tak Bai incident took place during the transportation of suspects, not during the actions to bring the demonstration itself under control. The Embassy assessment is that the fatalities incurred during the transport of the suspects were caused by negligence, lack of oversight, poor training and gross stupidity by Thai officers on the scene, not by any plan within parts of the Thai military to kill suspects. In November 2004, initial

analysis by Embassy officials led Post and JUSMAGTHAI to request Washington for funds, experts and permission to improve human rights training for senior Thai officials, mid-level officers and enlisted personnel -- including 4th Army's 5th Infantry Division -- who will be rotating to Southern Thailand.

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